IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, Plaintiff, v. CHEVY CHASE CARS, INC. (f/k/a CHEVY CHASE CHEVROLET), CHEMTURA CORP. (f/k/a CROMPTON CORP. and WITCO CHEMICAL CORP., and for KENDALL OIL), CITY OF COLUMBUS, OHIO, COLUSSY CHEVROLET, INC., DIANE SAUER CHEVROLET, INC. (f/k/a MARTIN CHEVROLET), DON BEYER MOTORS, FOX CHEVROLET, LLC, HILLEN TIRE & RUBBER CORP. (a/k/a HILLEN TIRE CO.), KALUMETALS, INC., KOONS FORD, KRAFT FOODS GLOBAL, INC. (for SEALEST), MARYLAND TRANSIT ADMINISTRATION (a/k/a MTA, INCLUDING BUSH, EASTERN, HARFORD AND KIRK DIVISIONS), OWENS-ILLINOIS, INC., PAGE AVJET CORP. (f/k/a PAGE AIRWAYS), R.D. BANKS CHEVROLET, INC., R & H MOTORS, INC., SEARS, ROEBUCK & CO., SIGNATURE FLIGHT SUPPORT CORP. (f/k/a BUTLER AVIATION, PAGE AIRWAYS), VALLEY CHEVROLET, LLC, WALLOVER OIL, WASHINGTON METROPOLITAN TRANSIT AUTHORITY (a/k/a	C.A. No. 05-_____ (Related Cases 97-1863 and 05-15) Judge Joy Flowers Conti Chief Magistrate Judge Caiazza

METRO BUS), and)
WHEATON DODGE CITY, INC.)
(a/k/a WHEATON DODGE),)
Defendants.)
)

COMPLAINT

The United States of America, by authority of the Attorney General of the United States and through the undersigned attorneys, acting at the request of the Administrator of the United States Environmental Protection Agency ("EPA"), files this complaint and alleges as follows:

NATURE OF THE ACTION

1. This is a civil action commenced pursuant to Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act "CERCLA"), 42 U.S.C. § 9607(a), for the recovery of response costs from the named defendants incurred and to be incurred by the United States in responding to releases or threatened releases of hazardous substances at or from the Breslube Penn Superfund Site ("Breslube Penn Site") which is located in Moon Township, Allegheny County, Pennsylvania.

2. The United States also seeks a judgment, pursuant to CERCLA Section 113(g)(2), 42 U.S.C. §9613(g)(2), declaring that each Defendant is liable for future response costs that the United States shall incur as a result of releases or threatened releases of hazardous substances from the Site.

JURISDICTION AND VENUE

3. This Court has jurisdiction over the subject matter of this action and the parties hereto, pursuant to Section 113(b) of CERCLA, 42 U.S.C. § 9613(b), and 28 U.S.C. §§ 1331 and 1345.

4. Venue is proper in this district pursuant to Section 113(b) of CERCLA, 42 U.S.C. § 9613(b), and 28 U.S.C. §§ 1391(b) and (c), because the releases or threatened releases of hazardous substances that give rise to the United States' claims have occurred in this District.

THE BRESLUBE PENN SITE

5. The Breslube Penn Site is located at 84 Montour Road, in Moon Township, Allegheny County, Pennsylvania. The Site is surrounded by a steep hillside to the north and west, and is bordered by Montour Run to the east and south. Montour Run is a freshwater stream used for fishing.

6. There are approximately 35 people residing within a quarter mile of the Breslube Penn Site who use wells as a water supply, and within a one mile radius of the Site, a total of 94 people use wells as a water supply.

7. A variety of industrial and commercial wastes were treated, stored, and/or disposed of at the Site from, at the latest, 1974, through the late 1980s. Hereinafter "times relevant to this Complaint" include any of the years from 1974 through 1989.

THE DEFENDANTS

8. Each of the Defendants is a "person" within the meaning of CERCLA Section 101(21), 42 U.S.C. § 9601(21).

9. Defendant Chevy Chase Cars, Inc. (f/k/a Chevy Chase Chevrolet) was incorporated in the State of Maryland, and its principal place of business is in Maryland.

10. Chevy Chase Cars' wastes (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

11. Some of Chevy Chase Cars' wastes or wastes of a predecessor(s)) that

were treated and/or disposed of at the Site contained hazardous substances.

12. Defendant Chemtura Corp. (f/k/a Crompton Corp., f/k/a Witco Chemical Corp.) was incorporated in the State of Delaware, and has its principal place of business in Connecticut.

13. Chemtura Corp.'s wastes (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

14. Some of Chemtura Corp.'s wastes (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

15. Defendant City of Columbus is a political subdivision of the State of Ohio.

16. Wastes from the City of Columbus, Ohio were treated and/or disposed of at the Site during times relevant to the complaint.

17. Some of the wastes from the City of Columbus (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

18. Defendant Colussy Chevrolet was incorporated in the State of , has its principal place of business in Pennsylvania.

19. Defendant Colussy Chevrolet's wastes (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

20. Some of Colussy Chevrolet's wastes (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

21. Defendant Diane Sauer Chevrolet, Inc. (f/k/a Martin Chevrolet, Inc. of Pennsylvania) was incorporated in the State of Ohio, and has its principal place of business in Ohio.

22. Diane Sauer Chevrolet's wastes (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

23. Some of Diane Sauer Chevrolet's wastes (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

24. Defendant Don Beyer Motors was incorporated in the State of Virginia, and has its principal place of business in Virginia.

25. Don Beyer Motors' wastes (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

26. Some of Don Beyer Motors' wastes (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

27. Defendant Fox Chevrolet, LLC was incorporated in the State of Delaware , and has principal place of business in Maryland.

28. Wastes of Fox Chevrolet, LLC (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

29. Some of the wastes of Fox Chevrolet, LLC that were treated and/or disposed of at the Site contained hazardous substances.

30. Defendant Hillen Tire & Rubber Co. (a/k/a Hillen Tire Co.) was incorporated in the State of Maryland, and has its principal place of business in Maryland.

31. Wastes of Hillen Tire & Rubber Co. (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

32. Some of the wastes of Hillen Tire & Rubber Co. (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

33. Defendant Kalumetals, Inc. was incorporated in the State of Pennsylvania, and has its principal place of business in Pennsylvania.

34. Kalumetal's wastes (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

35. Some of Kalumetal's wastes (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

36. Defendant Koons Ford was incorporated in the State of Maryland, and has its principal place of business in Maryland.

37. Koons Ford's wastes (or wastes from a predecessor(s) of Koons Ford) were treated and/or disposed of at the Site during times relevant to the complaint.

38. Some of Koons Ford's wastes that were treated and/or disposed of at the Site contained hazardous substances.

39. Defendant Kraft Foods Global, Inc. (f/k/a Sealtest Company), was incorporated in the State of Delaware, and has its principal place of business in Illinois.

40. Wastes of Krafts Foods Global, Inc. (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

41. Some of Krafts Foods Global's wastes (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

42. Defendant Maryland Transit Administration ("MTA"), including its Bush, Eastern, Hanford and Kirk Divisions, is part of the State of Maryland's Department of Transportation, and is principal place of business in Baltimore, Maryland.

43. MTA wastes, or wastes from a predecessor of MTA were treated and/or

disposed of at the Site during times relevant to the complaint.

44. Some of MTA's wastes (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

45. Defendant Owens Illinois, was incorporated in the State of Delaware, and has its principal place of business in Ohio.

46. Owens-Illinois' wastes (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

47. Some of Owens-Illinois' wastes (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

48. Defendant Page Avjet Corp. (f/k/a Page Airways) was incorporated in the State of Delaware, and has its principal place of business in Massachusetts.

49. Page Avjet's wastes (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

50. Some of Page Avjet's wastes (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

51. Defendant R.D. Banks Chevrolet, Inc., was incorporated in the State of Ohio, and has its principal place of business in Ohio.

52. R.D. Banks Chevrolet's wastes (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

53. Some of R.D. Banks Chevrolet's wastes (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

54. Defendant R & H Motors, Inc. was incorporated in the State of Maryland,

and has its principal place of business in Maryland.

55. R & H Motor's wastes (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

56. Some of R & H Motor's wastes (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

57. Defendant Sears, Roebuck & Co., was incorporated in the State of New York, and has its principal place of business in Illinois.

58. Sears, Roebuck & Co.'s wastes (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

59. Some of Sears, Roebuck & Co.'s wastes (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

60. Defendant Signature Flight Support Corp. (f/k/a Butler Aviation), was incorporated in the State of Delaware, and has its principal place of business in Florida.

61. Signature Flight Support Corp.'s wastes (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

62. Some of Signature Flight Support Corp.'s wastes (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

63. Defendant Valley Chevrolet, LLC was incorporated in the State of Delaware, and has its principal place of business in Maryland.

64. Wastes of Valley Chevrolet, LLC (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

65. Some of the wastes of Valley Chevrolet, LLC (or wastes of a

predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

66. Defendant Wallover Oil, was incorporated in the State of Ohio, and has its principal place of business in Pennsylvania.

67. Wallover Oil's wastes (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

68. Some of Wallover Oil's wastes (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

69. Defendant Washington Metropolitan Transit Authority (a/k/a WMTA or Metrobus), is an independent regional body providing ground transportation for thw Washington, D.C. metropolitan area, with its principal place of business in the District of Columbia.

70. WMTA wastes (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

71. Some of WMTA's wastes (or wastes of a predecessor(s)) that were treated and/or disposed of at the Site contained hazardous substances.

72. Defendant Wheaton Dodge City, Inc. (a/k/a Wheaton Dodge), was incorporated in the State of Delaware, and has a principal place of business in Maryland.

73. Wheaton Dodge's wastes (or wastes of a predecessor(s)) were treated and/or disposed of at the Site during times relevant to the complaint.

74. Some of Wheaton Dodge's wastes (or wastes of hazardous substances).

75. Hence, each of the above-listed defendants, or a predecessor(s) by contract, agreement or otherwise, arranged for disposal or treatment, or arranged with a transporter for transport for disposal or treatment, of hazardous substances owned or possessed by each such

Defendant at the Site within the meaning of CERCLA Section 107(a)(3), 42 U.S.C. § 9607(a)(3).

GENERAL ALLEGATIONS

76. In the early 1970s, an entity named "Wiseman Road Oil" stored and disposed of waste oils on Site. In 1977, Wiseman Oil Company ("Wiseman Oil") was incorporated in Pennsylvania. Shortly thereafter Wiseman Oil constructed a used oil/sludge reprocessing facility on the Site.

77. From 1978 through 1982 Wiseman Oil received and reprocessed a variety of waste oils, sludges, solvents, tank bottoms and other waste materials at the Site. These various wastes came from numerous sources throughout Pennsylvania, Ohio, New York, Maryland, Virginia, West Virginia, and other States.

78. The "disposal" and "treatment" of hazardous substances, as those terms are defined respectively at 42 U.S.C. § 9603(3), 42 U.S.C. § 9603(34), and 42 U.S.C. § 9601(14) occurred at the Site while under Wiseman Oil's operation and control.

79. In 1981, Wiseman Oil Co. filed a petition in the Bankruptcy Court for the Western District of Pennsylvania, Case No. 81-3367 following Equibank's foreclosure on a mortgage.

80. In October 29, 1982, Breslube Penn, Inc. purchased from Joseph and Ruth Wiseman the real property on which the Site is located.

81. When Breslube Penn acquired the Site significant volumes of waste containing hazardous substances were stockpiled or stored onsite from the Wiseman Oil operations.

82. Breslube Penn reopened the former Wiseman Oil waste oil/sludge

reprocessing facility shortly after acquiring the property.

83. Breslube Penn operated the waste oil/sludge reprocessing facility until sometime in 1986 when the Pennsylvania Department of Environmental Resources ("PADER") declined to renew the National Pollution Discharge Elimination System ("NPDES") permit which had allowed Breslube Penn (and previously Wiseman Oil) to discharge wastewaters from their reprocessing facility into Montour Run.

84. In November 1987, Breslube Penn entered into a Consent Order with PADER pursuant to which it drained numerous storage tanks on Site, shipped the contents off-site, installed ground water monitoring wells, and consolidated sludges, waste filtering agent, and contaminated soils into a large pile.

85. At PADER's request, EPA became involved with the Site around 1988. EPA inspections of the Site have revealed that numerous hazardous substances have been released at the Site, including but not limited to metals such as arsenic, chromium, copper, mercury, nickel, lead and zinc, various volatile organic compounds such as 1,1,1,-trichloroethane, cis-1,3-dichloroethene, as well as polychlorinated biphenols ("PCBs") and polyaromatic hydrocarbons ("PAHs").

86. After reviewing sampling data from the Site, EPA concluded that "an imminent and substantial threat to human health and the environment" existed, and in November 1993 EPA obtained funding to perform a removal action at the Site.

87. After issuing a "Notice of Liability and Offer to Negotiate" letter to Breslube Penn in November 1993, on December 22, 1993 Breslube Penn signed an Administrative Order by Consent (an "AOC") to perform the removal action, but later failed to

submit a sufficient remedial action plan for the Site.

88. In March 1994 EPA decided to perform a removal action at the Site, which was paid for by the Superfund.

89. During the removal action EPA removed over 6,000 tons of contaminated soils and sludges from the Site.

90. After the conclusion of the removal action, EPA recommended the Site for inclusion on the National Priorities List ("NPL"), and it was listed on the NPL on June 19, 1996.

91. On October 19, 1997, the United States filed a lawsuit in the United States District Court for the Western District of Pennsylvania, under CERCLA Sections 107(a) and 113(g), 42 U.S.C. § 9613(g), seeking recovery of response costs incurred by the United States at the Site, and for a declaratory judgment for future costs, and amended the complaint on or around February 6, 1998, to add additional defendants. A total of 38 defendants were named in that litigation, including generators whose wastes were treated and/or disposed of at the Site, and owners and/or operators of the Site.

92. By mid-1998, the defendants had answered the amended complaint, and several defendants had asserted cross-claims and counter-claims. On July 15, 1998, the Court entered a Case Management Order ("CMO") that divided the litigation into two phases. During Phase 1, third party practice was stayed, and the United States was to decide whether a *de minimis* settlement is feasible, and if feasible, to effectuate the settlement. Also, during Phase 1, any defendants interested in conducting the remedial investigation/feasibility study ("RI/FS") for the Site were required to notify EPA by a set date. During Phase 2, the litigation was to resume. The CMO also encouraged the parties to appoint liaison counsel.

93. On September 15, 1998, a group of defendants including Viacom/CBS/Westinghouse, Exxon Corp., Ford Motor Co., General Motors Corp., Hussey Copper, Ltd., Kaiser Aluminum & Chemical Corp., Mobil Oil Corp., and USX Corp. (now known as the "Work Group") notified the United States of their desire to perform the RI/FS. Since that date, Exxon and Mobil have merged, and are now know as Exxon Mobil Corp. Further, since that date, Kaiser Aluminum filed a Chapter 11 petition in bankruptcy and withdrew from participating in the Work Group. The remaining generator defendants who did not sign the AOC have been referred to by the parties and the Court as the "Non-Work Group."

94. In October 1998, the United States notified the defendants that a *de minimis* settlement was feasible.

95. On February 4, 2000, EPA and the Work Group defendants entered into an Administrative Order on Consent ("AOC") pursuant to which the Work Group has been performing the RI/FS.

96. On or around June 15, 2000, the United States, the Work Group Defendants and the Non-Work Group Defendants filed a Joint Motion to Stay Litigation, for the purposes of allowing work on the RI/FS to proceed, and performing *de minimis* settlements.

97. On August 24, 2000, the Court issued an order that, in effect, stayed the litigation by administratively closing the case, pending a motion to reopen by one or more of the parties.

98. The Work Group submitted to EPA a draft Remedial Investigation ("RI") Report on March 18, 2003. EPA conditionally approved the RI on July 19, 2005. The Work Group submitted to EPA a draft Feasibility Study ("FS") on June 11, 2003, and the Group is

currently scheduled to submit a further draft FS, based on the final-approved RI, by August 2005. EPA currently expects the RI/FS to be completed by January 2006, and a Record of Decision issued by July 2006.

99. EPA and the United States Department of Justice have incurred Site past response costs in excess of $4,7579,651, through January 2003, excluding removal or RI/FS oversight costs and pre-judgment interest. With prejudgment interest, calculated from February 6, 1998 (the date the United States filed its Amended Complaint in C.A. No. 97-1863) through January 2003, the United States' costs exceed $5,526,756.

100. Additionally, the Work Group incurred costs of approximately $2,256,873 (through November 17, 2003) in performing the RI/FS, and estimate that they will incur at least an additional $65,000 by the completion of the RI/FS.

101. Although the RI/FS is ongoing, EPA currently estimates that Site future response costs will be approximately $17.3 million (including the $65,000 in future costs to be incurred by the Work Group Defendants). The $17.3 million figure also includes an estimate of Site future remedy costs of $16,216,875, as well as an additional $1.0 million in Site future response costs, which is an estimate of the United States' costs incurred, and to be incurred from January 31, 2003 through December 31, 2004. EPA's estimate of future response costs may change, in the future, as more information about conditions at the Site develop.

CLAIM FOR RELIEF FOR RECOVERY OF RESPONSE COSTS

102. The allegations contained in paragraphs 1-101 are realleged and incorporated herein by reference.

103. Section 107(a) of CERCLA, 42 U.S.C. § 9607(a)(3) provides, in pertinent

part:

> Notwithstanding any other provision or rule of law, and subject only to the defenses set forth in subsection (b) of this section -
>
> * * * *
>
> (3) any person who by contract, agreement, or otherwise arranged for disposal or treatment, or arranged with a transporter for transport for disposal or treatment, of hazardous substances owned or possessed by such person, by any other party or entity, at any facility . . . owned or operated by another party or entity and containing such hazardous substances . . .
>
> from which there is a release, or a threatened release which causes the incurrence of response costs, of a hazardous substance, shall be liable for-
>
> > (A) all costs of removal or remedial action incurred by the United States Government . . . not inconsistent with the national contingency plan;
> >
> > (B) any other necessary costs of response incurred by any other person consistent with the national contingency plan;
> >
> > (C) damages for injury to, destruction of, or loss of natural resources, including the reasonable costs of assessing such injury, destruction, or loss resulting from such a release; and
> >
> > (D) the costs of any health assessment or health effects study carried out under section 9604(i) of this title.
>
> The amounts recoverable in an action under this section shall include interest on the amounts recoverable under subparagraphs (A) through (D). Such interest shall accrue from the latter of (i) the date payment of a specified amount is demanded in writing, or (ii) the date of the expenditure concerned. . . .

104. CERCLA broadly defines "person" to include "an individual,

firm, corporation, association, partnership, consortium, joint venture, commercial entity, United States Government, State, municipality, commission, political subdivision of a State, or any interstate body." 42 U.S.C. § 9601(21).

105. Each of the Defendants listed in the caption of this Complaint, falls within the class of persons described in Section 107(a)(3) of CERCLA, 42 U.S.C. § 9607(a)(3).

106. The Site is a "facility" within the meaning of Section 101(9) of CERCLA, 42 U.S.C. § 9601(9).

107. The "disposal" and/or "treatment" of "hazardous substances" (as those terms are defined respectively at 42 U.S.C. § 1004(5), 42 U.S.C. § 1004(34), and 42 U.S.C. § 9601(14)), occurred at the Site during both the Wiseman Oil and the Breslube Penn eras.

108. There have been releases, within the meaning of Section 101(22) of CERCLA, 42 U.S.C. § 9601(22), or the threat of releases of hazardous substances into the environment at or from the Breslube Penn Site.

109. The United States has taken "response" actions at the Breslube Penn Site, within the meaning of Section 101(25) of CERCLA, 42 U.S.C. § 9601(25), and has incurred costs in connection with taking those "response" actions. The Work Group defendants have also taken "response" actions at the Site, within the meaning of Section 101(25), and have incurred costs in connection with taking those "response" actions.

110. The costs incurred by the United States in connection with the Breslube Penn Site are not inconsistent with the National Contingency Plan, promulgated under Section 105(a) of CERCLA, 42 U.S.C. § 9605(a), and codified at 40 C.F.R. Part 300 et seq.

111. The unreimbursed response costs incurred to date by the United States in

connection with the Breslube Penn Site are approximately $5 million.

112. The United States will continue to incur response costs in connection with the Site.

113. Each defendant named in this Complaint is jointly and severally liable to the United States for all unreimbursed response costs incurred, and to be incurred, by the United States in connection with the Site, including enforcement costs on such costs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, the United States of America, prays that this Court:

1. Enter judgment in favor of the United States and against each defendant for all unreimbursed response costs incurred by the United States in connection with the Site, and prejudgment interest on those costs;

2. Enter a declaratory judgment stating that each defendant will be liable for all future response costs incurred by the United States in connection with the Site; and

3. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

KELLY A. JOHNSON
Acting Assistant Attorney General
Environment and Natural Resource
Division

W. BENJAMIN FISHEROW
Acting Section ~~Deputy~~ Chief
Environmental Enforcement Section
Environment and Natural Resources

Division

LISA A. CHERUP
Trial Attorney
Environmental Enforcement Section
Environment and Natural Resources
Division
United States Department of Justice
P.O. Box 7611
Washington, D.C. 20044-7611

MARY BETH BUCANAN,
United States Attorney
Western District of Pennsylvania

By: _____
JESSICA LIEBER SMOLAR
Assistant United States Attorney
United States Post Office & Courthouse
700 Grant Street, Suite 400
Pittsburgh, PA 15219

OF COUNSEL:

MARY E. RUGALA
JOHN MONSEES
JEFFERIE GARCIA
Senior Assistant Regional Counsel
and Assistant Regional Counsel
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029